Passed

Serial II-27—66,934—17-11-48.

Home (1949) Department.

Ms SERIES.

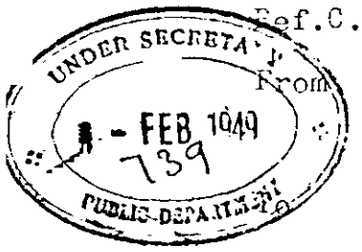
P 47(E)

G.O. NO. 2658

Dated 29 6 49

[Despatch Abstract.]

Courts - criminal - Bellary dt. — Sanction Cr P.C Indian Penal Code and Indian Evidence Act Extended Notifications under secs 7(2) and 8(1) Cr. P.C Published.



Ref.C.No.1206/49-1.C.C. Confdl. Dated.2-2-49.

From

Sri. A.Surya Rao Naidu,B.A.,
Treasury Deputy Collector
incharge, Bellary.

The Chief Secretary to Government
Fort St.George, Madras.

Sir,

Sub:- ~~STATES~~ Sandur - Appointment of Magistrates

Ref:- i) Government D.O. No.3745/48-7,Public (Political) Department dated 5-1-49.
ii).Govt. Confdl. D.O. No.3375/48-2,dated 17-1-49.

***

In accordance with the instructions issued in the D.Os cited above, the special Officer, Sandur has been invested with 2nd class powers and the Sub-Collector, Hospet with 1st class powers over the Sandur State area. Mr. Bhagavandas has not yet been invested with appellate powers.

It is very likely that appeals against the judgements of both the Magistrates may come up and it will thefefore be necessary to empower suitable persons to take on file the appeals filed against the judgements of these officers.

I suggest that the Sessions Judge may be empowered to take cognisance of and try all appeals against the judgement of the Sub-Collector Hospet and the District Magistrate Bellary to hear appeals against the judgements of the Special Officer. All the first class Magistrates in the District with the exception of the Sub-Divisional Magistrate, Adoni are no invested with appellate powers. Hence the above suggestion

I request that early orders may kindly be issued in the matter.

Treasury Dy.Colr

Public (Political) Department.

Letter No. 739/49-2 dated 14.2.49

To

The Hon. the Chief Justice of the High Court of Judicature at Madras, Madras. (with encl.)

Typed by
Compared by
Despatched on

Hon'ble Sir,

Sub:- States - Sandur - Judicial administration.

Ref:- Letter No.3745/48-2, Public (Political) dated 13-9-48.
From the Registrar, High Court No.6305/48-B1 dated 16-11-48.

I am directed to say that in accordance with the views of the High Court the Collector of Bellary was instructed to appoint a Munsif-Magistrate for Sandur to deal with all pending cases, civil and criminal and to defer the question of appointment of a ~~Nyadish~~ Nyayadish for the State. He was also informed that there was no objectio to his appointing, in the name and on behalf of the Ruler Sri Krishnan who was previously holding the post of

Munsif-Magistrate, to that post with jurisdiction over the State. As it was however not found possible to reappoint Sri Krishnan, the Collector of Bellary, with the approval of Govt. has appointed, on behalf of the Ruler, the Special Officer in charge of the administration of Sandur and the Joint Magistrate, Hospet as Magistrates with second and first class powers respectively for trying cases in accordance with the Sandur Penal Code. Copies of the proceedings of the Collector are enclosed.

2. The Collector has now suggested that as it is likely that appeals against the judgments of the Magistrates may come up it will be necessary to invest the Sessions Judge, Bellary with powers to take cognisance of and try all appeals against the judgments of the Magistrates referred to above. It is considered that the proposal of the Collector may be accepted and that orders may be issued by the Govt. in the name and on behalf of the

Ruler investing the Sessions Judge, Bellary, with the necessary powers. I am directed to enquire whether the Hon'ble Judges have any objection to ~~adopting the above course.~~ the proposal.

13-2-49.

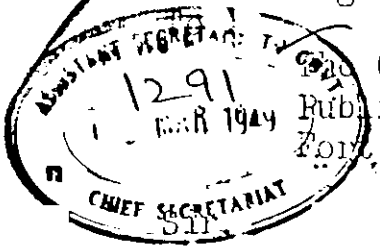
AR
13.2.49

7

R.O.C.No.6505/48-B1.

From

K.N.Ganpati Esquire, B.A.,Bar-at-law.,
Registrar, High Court, Madras.



The Chief Secretary to Government,
Public (Political) Department,
Fort St. George, Madras.

Dated 24th February 1949.

Sub: States - Sandur - Judicial Administration.
Ref: Letter No.739/49-2 dated 14.2.1949, Public (Political) Department.

The Hon'ble the Judges have no objection to the proposal to appoint the District and Sessions Judge, Bellary as part-time Nyayadish for Sandur and invest him with necessary powers on the same terms as hitherto.

REGISTRAR.

SV.

Pwl (Pm) cno 1581/12.3.48. 9

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

ADYAR MADRAS

NOTICE.

This form must accompany any inquiry made respecting this telegram

Charges to pay. Rs. | As.

Office Stamp

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.
Adyar					

TO Registrar Mrs

Recd. here at H. M.

Reference Government Telegram No 737/4 dated 28th March regarding Guardian Members Proceedings of Forfeiture of Powers records will be sent by registered post

Sent—The name of the Sender, if telegraphed, is written after the text.

Collector

Co., Ltd., Madras—15-10-'48—68,900 Books.

10

Public Pol. Debt

P 9 above Submitted for perusal The draft reminder telegram to the Collector of Bellary has been withheld from issue. ~~Draft R. D. 16. 3. 49.~~ The papers have since been received

15.3.49. Cur

16.3.49

DR

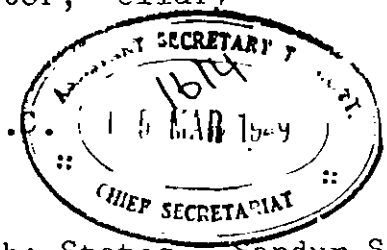
15.3.49

There seems no point in putting up this for further action

DR

From: E.C. Allardice Esq., I.C.S.,
Collector, Bellary

To
The Chief Secretary to Government
Fort St. George, MADRAS



S.No. 56/49 C.C. Dated 13.3.49

Sir,

Sub: States - Sandur State - Chief Court - Nyayadish - Investiture with powers - Copy of progs.

Ref: Government 's telegram 739/4 dated 7.3.49

I enclose herewith

1. Copy of letter No.G.S.(Court)-27-49 dated 8.3.49 from the Special Officer, Sandur
2. File No.R.Dis.15/1948 - relating to appointment of Mr.E.E. Mack I.C.S as Nyayadish consequent on the transfer of Mr. Georgeson
3. File No.R.Dis.2/1948 - Appointment Sjt. A.S.Panchapakesa Iyer as Nyayadish of the State

and 4. A sanad form used on the occasion of the investiture of the Nyayadish with powers.

Nos.2 and 3 may kindly be returned after done with.

Collector, Bellary

Copy of letter No.S.C.(Secrt)37-40 dated 8th March 1940 From the Special Officer, Sandur to the Dt.Magistrate, Bellary.

--

Sub:- Sandur State- Re-Establishment of Judiciary Mayadhish , Chief Court- appointment of information submitted.

--

Ref:- Telegram dated 7th March 1940 from the Collector,Bellary.

--

I am sending herewith the following files for your reference on the subject of the appointment of Mayadhish:-

(S) (i) File No.P.Dis.15/1948 - Mr.D.E.Mack, I.C.S - appointment as Mayadhish - consequent on the transfer of Mr.Georgeson.

(R) (ii) File No.P.Dis.2/1948 - Appointment of Sjt. S. Panchapakesa Ayyar.

2). I understand that there is no codified procedure governing the appointment; but there is an agreement between the Government of India and the Government of Madras to lend the services of the District and Sessions Judge,of Bellary to be the part-time Mayadhish of Sandur Chief Court. The papers connected with this are said to be in the Political Department , which has become defunct from the date we took over the administration i.e., from 20th July 1948. As this Department is in the Palace, we have not taken over the records.

3). According to the practice, the Mayadhish gets an emolument of Rs.100/- per month for his part-time work. He is given a warrant of appointment and has to be sworn in by the Secretary to Government in the presence of theEx-traordinary meeting of the Cabinet, where he will be given the warrant of appointment. His appointment is formally published in the State Official Gazette called "ADHYAPATRIKA". He will hold his office and be entitled to the emoluments from the date of issue of warrant ; but in the case of Mr.D.E.Mack, he was allowed to draw his part-time emoluments from the date he took charge in Bellary as District and Sessons Judge

(K) 4). The programme of investiture of the Mayadhish is contained on page 22 of P.Dis.No.2/1948.

-11-

5. The Adhyapatrika which is an official gazette of the State will have to be revived. It has not been published since 20th July 1948, ~~It has not been published since 20th~~ as the proposals for appointment were still under consideration

6. I am also enclosing herewith two printed forms for use, if necessary.

7. I will submit my proposals for the revival of the publication of the State Gazettes separately.

Sd. T.K.Jayarama Iyer,
Special Officer, Cochin.

/ True Copy /.

From
E.C.Allardice Esq. I.C.S.,
Collector, Bellary.

To
The Chief Secretary to Government
Fort St. George,
M a d r a s.

R.c.No.2384/49 C.C. dated 15-3-1949.

CNo. 1057 17.3.

Sir,

Sub:- States - Sandur state - judiciary - appointment of a District Judge and Nyayadish proposals submitted

---

The courts of the I and II class Magistrates of Sandur have begun functioning and the wor is progressing. The special officer who is the second class Magistrate for Sandur reports that there is a case in his court under section 307 I.P.C which may call for committal to a Sessions Judge. The District and Sessions Judge who was also the political member for the Government of Sandur (Mr.V.Narasimha Rao) ceased to function after 29-7-48 and the Munsiff Magistrate Mr.Krishna also has not been functioning from that date.

2 - According to the constitution and practice in the Sandur state, the state has the following judicial officers.

1. Nyayadish.
2. Sessions Judge.)
3. Dist.Judge.) combined.
4. District Magistrate.
5. Munsiff)
6. First class Magistrate) combined.

Nyayadish is the judge of the Sandur chief court, a court parellel to the High court of judicature and he is the appellate authority over the District Magistrate, District Judge Sessions Judge and the Munsiff of Sandur including the Ist class Magistrate. The Sessions Judge and the Dist.Judge were combined in one person viz. Meh.V.N.Rao, now officer on special duty conducting negotiations. He was also the Political member of Sandur, the Chief Secretary to the Government of Sandur and the Dist. Magistrate of Sandur. The Dist. and Sessions Judge and the District Magistrate, have no appellate powers over the Munsiff Magistrate and as such appeals are preferred to the Chief cour only (Nyayadish).

P.T.O.

-2-

At present the following cases are pending in the several courts of Sandur.

Name of the court.	Criminal.		Civil.			
	APPEAL	REVISION	OS	OP	IAS	E.P.
1. Chief court.	--		2	-	-	-
2. District Judge.	--		3	3	8	-
3. Munsiff.	--		10	-	3	2
4. Dist.Magistrate.	2	2	-	-	-	-

I have already submitted proposals to invest the District Magistrate Bellary and District Judge Bellary with appellate powers over the sentences passed by the II and Ist Class Magistrates of Sandur. I submit the following further proposals for the civil judicial administration of the state.

i. The appointment of the District and Sessions Judge Bellary as Nyayadish of the Sandur Chief court with appellate powers over the sentences passed by(a) the Ist class Magistrate (b) District and Sessions Judge Sandur: The present District Judge Bellary is qualified to hold the post of the Nyayadish under section 34 of the Sandur Chief court Act and (ii) to empower the District Munsiff of Bellary to try all civil cases now pending o on the file of the former Dist.Judge and Munsiff of Sandur and dispose them of according to Sandur Law.

The usual allowance to the Nyayadish may be paid i.e. Rs. 100/- (P.M.) A suitable allowance to the District Munsiff of Bellary for his additional duty as District and Sessions Judge Sandur may be sanctioned. The criminal cases which are to be committed to sessions will be committed to the chief court and tried by the Nyayadish. I request that the Government may kindly consider these proposals and pass early orders. The reestablishment of all branches of the judiciary will create confidence in the public about the capacity of the present administration.

For COLLECTOR.

MMB. 16.3.

16/3/29

Revise drafts
3 & drafts.

Public (Poll) deptt.

I

G.O.Ms.No. 805 d. 23.3.49

States- Sandur- Appointment of a Nyayadish- Ordered.

Read again: G.O.No.1854 Public (Spl) d. 28-8-46

Under section 3 of the Sandur Chief Court Act (II of 1932), the Govt. of Madras, acting on behalf of H.H. the Ruler of Sandur, hereby appoint for the time being the Dt. Judge, Bellary, as the part-time Nyayadish of the Sandur Chief Court on the same existing terms and conditions as were applicable to such appointment hitherto.

To ~~Sri Balachandra Koman, I.C.S.~~,
Dt. and Sessions Judge, Bellary
the Collector of Bellary
the A.G.Madras.
the Home deptt
Copy to the ~~Registrar~~, High Court
Copy to the Govt. of India,
Ministry of States, New Delhi.

II.

D.O.No.739/49-1 d.23.3.49

My dear Koman,

Sub: States-Sandur- Nyayadish.

...

I am to enclose a copy of the proeeedings of this Govt. No. 805 Public (Poll) dated 23.3.49 and to request you to make arrangements in consultation with the Collr. of Bellary for taking over charge as Nyayadish of Sandur.

To Sri Balachandra Koman, I.C.S.
Dt. and Sessions Judge, Bellary.

PTO for draft III

III.

19

Public (Poll) deptt.

D.O.No.739/49-8 d.23.3.49

My dear Allerdice,

Sub: States- Sandur- Judicial administration. Appellate powers.

Ref:Your letter No.Rc.2384/49 GC d.15-3-49

With reference to the proposals in your letter cited I am to refer you to the orders in G.O.No.6805 Public (Poll) dated 23.3.49 appointing the Dt.Judge, Bellary as part-time Nyayadish for the Sandur state. It is presumed that in view of this appointment it is not necessary to invest the D.M.Bellary with powers to hear appeals against the judgements of the Special Officer, Sandur. I am to enquire whether the presumption is correct

2.Action is being taken separately on your proposal for investing the Dt.Munsif, Bellary with

20

powers to try civil cases in Sandur.

19.3.49.

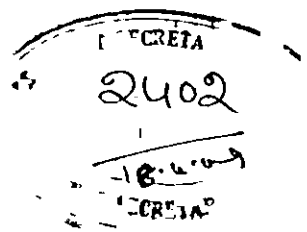
AR ✓
20-3-49

Dpd 24/3

✓To E.C.Allercice, Esq I.C.S
Collr. ofBellary.

D.Dis. No.3562/49 Dated 13.4.49

From: Sri A. Surya Rao Naidu B.A.,
Treasury Deputy Collector in charge,
Bellary



To

The Chief Secretary to Government,
Fort St. George,
M A D R A S

Sir,

States - Sandur State - Nyayadish taking over - Report submitted.

Ref G.O. M.S.No.805 Public (Pol) Dept. dated 23.3.49

B. Koman Esq., I.C.S., District Judge, Bellary has taken over as Nyayadish of Sandur on 12.4.49. According to sandur Chief Court Act (No.II of 1932) the officer appointed as Nyayadish has to subscribe the following declaration before the Huzur Durbar(Cabinet):-

"I (A.B) appointed Nyayadish of the Chief Court do solemnly declare that I will faithfully perform the duties of my office to the best of my ability, knowledge and judgement."

As the ruler is absent and as the cabinet constituting the Durbar is not functioning , the declaration was made by the District Judge at a meeting held yesterday at Sandur. The General Secretary the Financial Secretary(Government of Sandur) and the Special Officer, Sandur and myself were present at the meeting.

Treasury Deputy Collr-incharge

MB/13.4.49

Public (Poll) Debt

D. O. No. 739/49-9 d. 19.4.49

Dear Sir

Subj: States - Sanads - Judicial administration
Appellate powers.

Ref: D.O.No. 739/49-8 Pub (Poll) d 23.3.49

I am to enquire when a reply to para 1 of the d.o. cited may be expected

19.4.49. 19.4.49.

19.4.49

To Sri A. Surya Rao Naidu, B.A.
T.D.C. in Charge, Bellary

Ref.C.No.2334/49 C.C. Dated. 20-4-49.

From Sri. A. SURYA RAO NAIDU, B.A.,
COLLECTOR INCHARGE , BELLARY.

TO THE CHIEF SECRETARY TO GOVERNMENT
FORT SAINT GEORGE, MADRAS.

Sir,

Sub:- STATES- SANDUR JUDICIAL ADMINISTRATION
APPELLATE POWERS.

Ref:- D.O.No.739/49-8, Public (Political) Department , dated 23-3-49 to Mr. Allardice.

The Government have observed ~~in the above~~ D.O. that in view of the appointment of the District Judge, Bellary, as the Nyayadish of Sandur State, it is presumed that it is not necessary to invest the District Magistrate, Bellary with powers to hear appeals against the judgements of the Special Officer, Sandur, who is the 2nd Class Magistrate in the State.

2 In this connection it is submitted that the appointment of the Nyayadish does not solve the question of appeals against sentences by the 1st and second class Magistrates now functioning at Sandur. The Nyayadish who is appointed under Sandur Chief Court Act (II of 1932) is the highest court of appeal reference and revision, subject to the provisions of the Criminal Procedure Code. The Sandur Criminal procedure Code is the same as the Indian ~~Criminal~~ Cr.P.C. as per Section 2 of the Sandur Code of Criminal Procedure. According to Section ~~407~~ 407 and 408 of Cr.P.C. appeals against judgements of 2nd class Magistrate have to be heard by the District Magistrate and of the 1st class Magistrate by the Sessions Court and hence an appeal direct to the Chief Court is not regular Further it is opined that an appeal direct to the Chief Court will deprive the right of the accused to move the highest court by way of revision against the legality of any sentence or order. Though under section 526(e) clause (iii) Cr.P.C. the Highest Court may order any particular appeal to be heard by itself, it is not expedient to invoke the provisions of this section for all appeals against the judgements of 1st and 2nd class Magistrates.

3/ I therefore consider that it is necessary to invest the District Magistrate Bellary with appellate powers to hear the appeals against the sentence of the 2nd class Magistrate, Sandur until Mr. Bhagavandas, I.A.S., Joint Magistrate, Hospet is empowered to hear the appeals against the judgements of the 2nd class Magistrate. The appeals against the judgements of the 1st class Magistrate may be taken up and disposed of by the Nyayadish as they will generally be very few.

Dt.Magistrate & Collector
incharge.

Home Department.

Udayagiri, Memo No. 36837 D/49-2 Dated. 20.5.49

COURTS - Criminal - Bellary dt. - Sandur - Extension of Cr.P.C. - I.P.C. and Indian Evidence Act - Notifications under Sections 7 and 8 Cr.P.C.

Ref:- 1. Correspondence ending with the letter from th D.M., Bellary, No. 2334/49 C.C. dated 20/4/49

2. G.O.Ms. No. 1161, Pub., (Pol) dated 29/4/49.

The D.M., Bellary is informed that as Sandur State has merged in the Indian Union with effect from 1/4/49, and as the Govt. of India have delegated power to this Govt to administer the State, this Govt. have under consideration the question of recognising the Criminal Courts in the State and of extending the laws in force in this Province to the State. In the case of Banganapalle, the Cr.P.C., the I.P.C., and the Indian Evidence Act were extended to the State in advance of other laws, and notifications were issued under Sections 7 and 8 Cr.P.C. including the State within the jurisdiction of the existing courts. A copy of Conf. No. 11 Home dated 24.3.49 is enclosed for reference.

It has been suggested that similar action may be taken in regard to the Sandur State. The D.M. is requested --

(1) to state whether the Cr.P.C., the I.P.C., and the Indian Evidence Act may be extended to the Sandur State at once and if so to forward necessary draft notifications under Sections 7 and 8, Cr.P.C. for the approval by the Govt., and

2) to state whether any addl. posts of Magistrates will have to be sanctioned to try cases arising in Sandur and if so, to submit necessary proposals through the High Court

20/5

20.5.49

To

The D.M. Bellary. (with copy of Memo at ®)

Copy to the Vacation Officer, High Court, Madras (with a copy of pages 25-26 f.)

W.O. 21.5.49

Rly one month.

36837 D

47466

Ref.C.No.2384/49 C.C. Dated. 21-5-49.

From E.C.Allardice Esq.,I.C.S.,
Collector,Bellary.

To THE CHIEF SECRETARY TO GOVERNMENT
FORT ST.GEORGE, MADRAS.

ASSISTANT SECRETARY TO GOVERNMENT 23 MAY 1949 HOME DEPARTMENT

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT 3235 04 MAY 1949 PUBLIC DEPARTMENT

Sir,

Sub:- States- Sandur Judicial Administration Appellate powers.

Ref:- This Office Ref.C.No. 2384/49 dated 19-4-49.

I invite your attention to the above reference and request early orders.

In view of the fact that the judicial administrative set up is likely to remain unchanged for some little time, the proposals submitted in my above reference may be approved.

Collector.

PH(PM)NO 3235/49-1 28 SEP

Public (Political) Deptt.

M P&G Home U.O. in continuation of this department U.O. No 734/49-10 d 29/4/49.

Home.

30

Home deptt

The W.M's reply to the memo on p 27 ante may be awaited till 20.6.49.

31.5.49

31.5.49

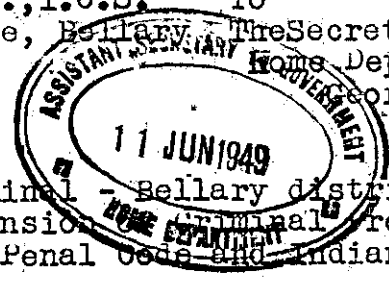
31/5/49

D

52191
11.6.49

R.C.S. 209/49 C.C. Dated 8.6.49

From: E.C. Allardice Esq., I.C.S. To
District Magistrate, Bellary. The Secretary to Govt.,
Home Dept. Fort. St.
George, Madras



Sir,

Sub: Courts - Criminal - Bellary district - Sandur - Extension of Criminal Procedure Code, Indian Penal Code and Indian Evidence Act - Report

--

Ref: Government Memorandum No.36857 D/49.2. Home Dept. dated 20.5.49.

--

The Criminal Procedure Code, the Indian Evidence Act and the Indian Penal Code may be extended to Sandur and it may be said, that it is necessary to do so at an early date. I enclose herewith draft notifications for approval by Government.

I consider it necessary to have a separate II class Magistrate for Sandur area, as I am proposing to Government that a new Taluk called Sandur taluk may be formed by adding one Firka from Kudligi Taluk and another from Hospet Taluk. I am submitting proposals separately through the High Court in this respect.

District Magistrate

Copy to the Registrar, High Court, Madras.

NOTIFICATIONS.

In exercise of the powers conferred by Section 4 of the Extra-Provincial Jurisdiction Act, 1947 (Central Act XLVII of 1947) read with the Notification of the Govt. of India in the Ministry of States No.176-I-B. dated the 23rd March 1948 and of all other powers enabling him in this behalf, His Excellency the Governor of Madras hereby makes the following order, namely

1. The Indian Penal Code (Central Act XLV of 1860) the Indian Evidence Act (Central Act I of 1872) and the Code of Criminal Procedure (Central Act V of 1898) (herein after referred to as the said acts) as amended from time to time, shall, subject to the provisions of this order apply with effect on and from the----- to the State of Sandur as if the said State forms part of the Bellary District in the Province of Madras.

Provided that nothing contained in this clause shall affect any action already taken under the corresponding State Acts.

2. The said Acts shall supersede the corresponding State Acts (by whatever name called), if any, at present in force in the said State.

3. Any Court, Tribunal or authority may construe the provisions of the said acts applied for by this order to the said State and of any notification, order, by-law, rule, or regulation made or issued thereunder, with such modification, not affecting the substance, as may be necessary or proper in order to adapt them to the matter before the Court, Tribunal or authority as the case may be.

--------Contd.,

35

II.

In exercise of the powers conferred by section 7(2) of the Code of Criminal Procedure, 1898 (Central Act V of 1898) read with Home Department Notification supra, His Excellency the Governor of Madras hereby directs that the undermentioned twentythree villages in the State of Sandur shall be transferred to and included within the limits of the Bellary Sessions division and of the Bellary District.

(1) Bhujenganagar
(2) Deogiri
(3) Dharampur
(4) Dowlatpur
(5) Emmihatti (uninhabited)
(6) Hulikunti (-do-)
(7) Jaisingpur.
(8) Krishnanagar
(9) Lakshmipur.
(10) Murarpur
(11) Narasingapur.
(12) Narayanapur.
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur
(16) Sandur
(17) Sankarpur (uninhabited)
(18) Siddapur.
(19) Sushilanagar
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar
(23) & Yeshwantanagar.

This order shallbe deemed to have come into force on the ----

III

In exercise of the powers conferred by ~~the~~ Section 8(1) of the Code of Criminal Procedure 1898 (Central Act V of 1898) read with Home Department Notification supra, His Excellency the Governor of Madras hereby directs that the limits of the BELLARY subdivision of the Bellary District in the Province of Madras shall be so altered as to

------Contd.

include the undermentioned twenty three villages in the State of Sandur.

(1) Bhujanganagar.
(2) Doogiri
(3) Dharampu.
(4) Dowlatpur
(5) Emmihatti(uninhabited)
(6) Hulikunti (-do-)
(7) Jaisingpur
(8) Krishnanagar.
(9) Lakshmipur
(10) Murarpur
(11) Narasingapur
(12) Narayanapur
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur
(16) Sandur
(17) Sankarpur(uninhabited
(18) Siddapur
(19) Sushilanagar
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar
(23) Yeshwantanagar.

This order shall be deemed to have come into force on the----------

Dy. Secretary to Govt.,

/HBR/29.5.49.

orgl in 'B' Section

39

Extract
~~Copy~~ of letter R.O.C. 6305/48-B1, dated 21st June, 1949, from the First Assistant Registrar, Original Side and Vacation Officer, High Court, Madras, to the Secretary to Government, Home Department, Madras.

Sandur - Merger,- Administration of justice - Reorganisation.

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file in 'B' Correspondence resting with Home Department's Memorandum No. 38433-E/49-3, dated 28th May 1949.

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xx xx xx

2. The Hon'ble the Judges also agree to the extension of the I.P.C. and the Code of Criminal Procedure to the Sandur area with immediate effect.

3. Their Lordships also support the proposal of the District Magistrate, Bellary to appoint a Second class Magistrate with a staff of two lower division clerks, one Attender and two peons for Sandur and two other firkas referred to in his letter R.C.S.No. 209/49 C.C. dated 8/6/49 (copy forwarded to Government direct).

Extract being taken separately in 'D' Section by D1

/True extract/

Superintendent.

Pva 24/6.

41

Home Department.

G.O.Ms. No. 2658 Dated. 29.6.49

Courts - Criminal - Bellary district - Sandur - Criminal Procedure Code, Indian Penal Code and Indian Evidence Act - Extended - Notifications under Sections 7 (2) and 8 (1), Criminal Procedure Code - Published.

Read:- From the D.M., Bellary, Ref. C.No. 1206/49-1.C. dated 2/2/1948.
From the Registrar, High Court, R.O.C.No. 6305/48-B1, dated 24/2/1949.
From the D.M., Bellary, Ref. C.No.2334/49 C.C. dated 20/4/49.
From the D.M., Bellary, R.C.S. 209/49 C.C. dated 8/6/49.

ORDER:-

The following notifications will be published in the Fort St. George Gazette and in the District Gazette of Bellary:-

NOTIFICATIONS.

I.

In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (Central Act XLVII of 1947), read with Notification of the Government of India, Ministry of States No 91-P, dated the 19th April 1949 and of all other powers enabling him in this behalf His Excellency the Governor of Madras hereby makes the following order, namely:-

1. The Indian Penal Code (Central Act XLV of 1860), the Indian Evidence Act (Central Act I of 1872) and the Code of Criminal Procedure (Central Act V of 1898) (hereinafter referred to as the said Acts) as in force for the time being in the Bellary district of the Province of Madras, shall, subject to the provisions of this Order, apply with effect on and from the 15th July 1949 to the State of Sandur as if the said State were part of the Bellary district in the Province of Madras

Provided that nothing contained in this clause shall affect any action already taken under the corresponding State Acts.

2. The said Acts shall supersede the corresponding State Acts (by whatever name called), if any, at present in force in the said State.

3. Any Court, Tribunal or Authority may construe the provisions of the said Acts applied by this Order to the said State and of any notification, order, by-law, rule or regulation made or issued thereunder, with such modifications not affecting the substance, as may be necessary or proper in order to adapt them to the matter before the Court, Tribunal or Authority as the case may be.

II.

In exercise of the powers conferred by section 7 (2) of the Code of Criminal Procedure, 1898 (Central Act V of 1898) read with Home Department Notification No. ...890 supra, His Excellency the Governor of Madras hereby directs that the undermentioned ~~23~~ villages in the State of Sandur shall be transferred to and included within the limits of the Bellary Sessions Division and of the Bellary District

(1) Bhujanganagar
(2) Deogiri
(3) Dharampur
(4) Dowlatpur
(5) Emmihatti ~~(uninhabited)~~
(6) Hulikunti ~~(do)~~
(7) Jaisingpur.
(8) Krishnanagar
(9) Lakshmipur.
(10) Murarpur
(11) Narasingapur.
(12) Narayanapur.
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur.
(16) Sandur
(17) Sankarpur ~~(uninhabited)~~
(18) Siddapur.
(19) Sushilanagar
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar
(23) Yeshwantanagar

This order shall ~~be deemed to have~~ come into force on the 1st July 1949

III.

In exercise of the powers conferred by section 8 (1) of the Code of Criminal Procedure, 1898 (Central Act V of 1898),

No. 890

read with Home Dept. Notification supra, His Excellency the Governor of Madras hereby directs that the limits of the Bellary Sub-Division of the Bellary district in the Province of Madras shall be so altered as to include the undermentioned villages in the State of Sandur -

(1) Bhujanganagar.
(2) Deogiri
(3) Dharampur
(4) Dowlatpur
(5) Emmihatti (~~uninhabited~~)
(6) Hulikunti (~~do~~)
(7) Jaisingpur.
(8) Krishnanagar.
(9) Lakshmipur.
(10) Murappur.
(11) Narasingapur
(12) Narayanapur.
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur.
(16) Sandur
(17) Sankarpur (~~uninhabited~~)
(18) Siddapur.
(19) Sushilanagar.
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar.
(23) Yeshwantanagar.

Ok to all Revs
3/7

* See notes

This order shall ~~be deemed to have~~ come into force on th 1st July 1949.

13 | 15/6/49

To

The Supdt., Govt. Press, for publn. of the notfns. & The Supdt., Govt. Press should see that the notfns. are published with continuous numbers.

Sy 15/6/49

The D.M., Bellary.

The Bd. of Rev. Chepauk, Madras.

The Registrar, High Court, Madras.

The Pub. Works (I & P) Dept.

The Pub. (Poll) Dept.

The other Deptts. of the Sectt.

Copy to the Secy., to the G.O.I. Ministry of States, New Delhi (with 4 spare copies)

Notfns Nos 890, 891 and 892 Part I, p 1033, dt 5.7.1949

copy added to SP.
Sy

45

GOVERNMENT OF MADRAS.

Abstract.

COURTS - Criminal - Bellary district - Sandur - Criminal Procedure Code, Indian Penal Code and Indian Evidence Act - Extended - Notifications under Sections 7 (2) and 8 (1), Criminal Procedure Code - Published.

x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

Home Department.

G.O.Ms. No. 2658 Dated 29th June, 1949.

Read the following:-

G.O. No. 1161, Public (Political) dated 29th April 1949

G.O.No. 2039, Home, dated 20th May 1949.

From the District Magistrate, Bellary, Ref. C.No.2334/49 C.C., dated 20th April 1949.

From the District Magistrate, Bellary, R.C.S. 209/49 C.C. dated 8th June 1949.

From the High Court, Madras Roc 6305/48-B1 dated 21st June, 1949.

ORDER:-

The following notifications will be published in the Fort St. George Gazette and in the Bellary District Gazette:-

NOTIFICATIONS.

In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (Central Act XLVII of 1947), read with Notification of the Government of India, Ministry of States No. 91-P, dated the 19th April 1949 and of all other powers enabling him in this behalf, His Excellency the Governor of Madras hereby makes the following Order, namely:-

1. The Indian Penal Code (Central Act XLV of 1860), the Indian Evidence Act (Central Act I of 1872) and the Code of Criminal Procedure (Central Act V of 1898) (hereinafter referred to as "the said Acts") as in force for the time being in the Bellary district of the Province of Madras shall, subject to the provisions of this Order, apply with effect on and from the 15th July 1949 to the State of Sandur as if the said State were part of that district.

2. The said Acts shall supersede the corresponding State Acts (by whatever name called), if any, at present in force in the said State.

3. Any Court, Tribunal or Authority may construe the provisions of the said Acts applied by this Order to the said State and of any notification, order, by-law, rule or regulation made or issued thereunder, with such modifications not affecting the substance, as may be necessary or proper in order to adapt them to the matter before the Court, Tribunal or Authority as the case may be.

II.

In exercise of the powers conferred by section 7 (2) of the Code of Criminal Procedure, 1898 (Central Act V of 1898), read with Home Department Notification No. supra, His Excellency the Governor of Madras hereby directs that the undermentioned villages in the State of Sandur shall be transferred to and included within the limits of the Bellary Sessions

P.T.O.

Sessions Division and of the Bellary district -

(1) Bhujanganagar
(2) Deogiri
(3) Dharampur
(4) Dowlatpur
(5) Emmihatti
(6) Hulikunti
(7) Jaisingpur.
(8) Krishnanagar
(9) Lakshmipur.
(10) Murarpur.
(11) Narasingapur.
(12) Narayanapur.
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur.
(16) Sandur.
(17) Sankarpur.
(18) Siddapur.
(19) Sushilanagar
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar
(23) Yeshwantanagar

This order shall come into force on the 15th July 1949.

III.

In exercise of the powers conferred by section 8 (1) of the Code of Criminal Procedure, 1898 (Central Act V of 1898), read with Home Department Notification No. supra, His Excellency the Governor of Madras hereby directs that the limits of the Bellary Sub division of the Bellary district in the Province of Madras shall be so altered as to include the undermentioned villages in the State of Sandur -

(1) Bhujanganagar.
(2) Deogiri
(3) Dharampur
(4) Dowlatpur
(5) Emmihatti
(6) Hulikunti
(7) Jaisingpur.
(8) Krishnanagar.
(9) Lakshmipur.
(10) Murarpur.
(11) Narasingapur
(12) Narayanapur.
(13) Radhanagari
(14) Ramghad
(15) Ranjitpur.
(16) Sandur
(17) Sankarpur
(18) Siddapur.
(19) Sushilanagar.
(20) Swamihalli
(21) Taranagari
(22) Vithalnagar.
(23) Yeshwantanagar.

This order shall come into force on the 15th July 1949.

/By order of His Excellency the Governor/

S.A. Iyengar,
SECRETARY TO GOVERNMENT.

To

The Superintendent, Government Press for publication of the Notifications. The Superintendent, Government Press should see that the notifications are published with continuous numbers.
The District Magistrate, Bellary.
The Board of Revenue, Chepauk, Madras.
The Registrar, High Court, Madras.
The Public Works (Information & Publicity) Department.
The Public (Political) Department.
The other Departments of the Secretariat.
Copy to the Secretary to the Government of India, Ministry of States, New Delhi (with four spare copies)

True copy / Forwarded/ By order.

Superintendent.

Pva 29/6.

States- Sandur- Judicial administration- Appellate powers.

CF /From the Collector of Bellary No.1206/49-1 CC dated 2-2-49/

The Collector of Bellary ~~has been~~ was informed that he ~~may~~ might, on behalf of the Ruler of Sandur and in accordance with the laws in force in the state, invest the Special Officer in charge of the administration of Sandur and the Sub Collector/Hospeet + Joint Magistrate, with 2nd and 1st class powers respectively. With reference to these instructions he has issued necessary orders investing the officers mentioned above with the magisterial powers. He now suggests that as it is likely that appeals against the judgm of both the Magistrates may come up it will be necessary to empower the ~~Sub Collector Hospet~~ Sessions Judge, Bellary to take cognisance of and try all appeals against the judgments of the Sub Collr. Hospet and the Special Officer, Sandur. ~~In November 48 when the question of the judicial administratio of Sandur was referred to the High Court for their remarks they observed that it would be better to defer the question of the appointment of Nyyamish + of Sandur until a senior officer is posted. In the circumstances it is for consideratio whether the suggestion of the Collector of Bellary may be agreed to. If the suggestion is to be accepted it seems that the Collector of Bellary himself may issue orders on behalf of the Ruler of Sandur empowering the Dt. and Sessions Judge, Bellary with the necessary appellate powers. Home and Legal may be requested to advise.~~

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
10 FEB 1949
HOME DEPARTMENT

9/2/49. 9.2.49. Mr. B.C. Roman I.C.S. is the Dt. + Sessions Judge Bellary. The orders may be issued by the Govt on behalf of the Ruler of Sandur, after consulting the High Court

AR 9-2-49

Home / Legal

P.T.O.

Home Dept

Please see the proposal ~~in~~ on p 1 c.f
in the Pub (Pol) note on p. 1 ante

When the question of appointing a Munsif Magistrate in Sandur was considered in november last Legal ~~advised~~ advised that as the Collector of Bellary was supposed to administer the State on behalf of and in the name of the Rajah, the only consistent position would be for the Collector of Bellary to make the appointment on behalf of and in the name of the Rajah. The present question that Govt may issue orders in regard to ~~investing~~ investing the Dt & Sessions Judge Bellary with appellate powers has been made apparently for the reason that the present Dt. ~~Judge~~ and Sessions Judge is a member of the I.C.S. while the 'Collector of Bellary' is a Dy Collector. As the Collector of Bellary administers the State on behalf of the Govt, there seems to be no objection to the Govt issuing orders in the matter on behalf of and in the name of the Rajah. Legal who will see the file next and the High Court who are proposed to be consulted will of course point out ~~the~~ difficulties if any in adopting this course.

The file may be passed on to Legal

10/2/49

Legal 10/2/49

Legal ref not in pb n.f. i.f. (1), Co. 225 Pub(k) 524,

A on p. 1 ante

< Mr BC Rao's

& top of p 1 n.f

A on p 1 ante

~~Secretary~~

Home Co. 11322 Pol-I

10.2.49

Legal Department.

There is no objection to the Government on behalf of and in the name of the Ruler investing the District and Sessions Judge, Bellary, with appellate powers in accordance with the laws in force in the State.

M
15.95

ASSISTANT-SECRETARY
5-35 p.m.
10 FEB 1949
LEGAL DEPARTMENT

909

B 11.2.49

Pub (Pol)

Legal Co
15/2/49
11/2

Public (Pol) Deptt

Please see the previous notes of this Deptt. on p.1 and the notes of Home & Legal on p.2 above. A draft letter to the High Court is submitted for approval

12.2.49. 12.2.49

13.2.49.

Retyped & submd. 13.2.49. pp 3-5 ✓

Issued Lr no. 739/49-2 d 14.2.49.

From the High Court Lr No Roc. 6305/48-B1 d 24.2.49

The Collector of Bellary has requested that the Dt. and Sessions Judge, Bellary may be empowered to hear appeals against the judgements of the Special Officer, Sandur and the Sub Collector, Hospet and the A.D.M. Bellary who have been invested with 2nd and 1 class magisterial powers respectively. It is proposed to accept the proposal of the Collector of Bellary and to issue a notification on behalf of the Ruler of Sandur empowering the Dt. Judge, Bellary to hear appeals against the judgements of the officers referred to above. Home and Legal have agreed to the proposal. The High Court who was consulted in the matter has stated that there is no objection to the appointment of the Dt. and Sessions Judge, Bellary as part time Nyayadish, Sandur and to invest him with the necessary powers on the same terms as hitherto.

~~With reference to the orders in G.O.No.1854 Public (Special) dated 27-8-46 the Dt. and Sessions Judge, Bellary may be appointed as a parttime Nyayadish for Sandur State up to 31-8-49.~~ It therefore seems sufficient if a notification issued by the Govt. on behalf of the Ruler appointing Sri B.C.Koman, I.C.S. Dt. and Sessions Judge, Bellary as part time Nyayadish Sandur investing him with the necessary powers on the same terms as hitherto. There is no information in this Deptt. about the nature of the powers with which the Sandur Durbar invested on previous occasions the Dt. Judges Bellary as Nyayadish of the Sandur state.

draft notification is submitted for approval on the lines of the ... tification on page 39 C.F. of file 'A'. A draft d.o. to the Dt. Judge, Bellary asking him to send a copy of the previous proceedings of the Durbar regarding the appointment of Nyayadishes. In the meantime the Collr. Bellary may be asked by telegram to send a copy of the previous proceedings of the Durbar regarding the appointment of Nyayadishes. A draft telegram is submitted for approval. After issue of the telegram the file may be sent to Legal for scrutiny of the draft notification before circulation

13/49 — 5.3.49

Public (Special) Dept.

It is not necessary to mention the name of the District Judge, Bellary, as notifications have to be issued whenever there are changes of District Judges. The draft notification may be amended as indicated in pencil.

5.3.49 — 6.3.49

Pub(PM)no 739/49-5 — 7.3.49

LEGAL DEPARTMENT.

S 2642

ASSISTANT SECRETARY 12.55 7-MAR 1949 LEGAL DEPARTMENT

Draft I:-It is not clear from the draft whether the Sessions Judge, Bellary, was appointed as Nyayadish under the provisions of any law in force in Sandur and if so, what that law is. The words "on the same terms as hitherto" occurring at the end of the draft are also vague. It is perhaps desirable in this case to await the reply to the telegram issued to the Collector of Bellary asking for a copy of the previous proceedings of the Sandur Darbar investing the part-time Nyayadish with the necessary powers. Public (Political) may therefore send the draft to this department for scrutiny after the reply of the Collector is received.

1665

9.3.49

Pub(Pol) Dept — legal memo 2642/49-I — 9/3/49

The copy of the proceedings called for from the Collector of Bellary in the telegram d.6.3.49 may be awaited.

10.3.49.

From the Collr. of Bellary No. 56/49 C.C. dt 13.3.49

Copies of the proceedings of the Sandur Durbar appointing Messrs. Mane and Panchamalesa appar as part time Nyayadish of Sandur Rare received from the Collector of Bellary

A It is seen that the orders of appointment were issued by the Durbar in the name of individual officers only. It is therefore for consideration whether the same procedure may be followed now also.

2. It is seen that in addition to the formal orders of appointment warrants of appointment were also issued to the officers in person at a State Cabinet meeting. In view of the changed circumstances it is not perhaps necessary to issue similar warrants of appointment now.

Subject to orders, a draft order appointing Sri B.C. Karan as Nyayadish of Sandur and a draft do. are submitted for approval.

The file may be sent to Legal Dept. for scrutiny of the draft before circulation

16.3.49. Cue 16.3.49.

Through Pub (Pol) Dept

ASSISTANT SECRETARY 17 MAR 1949 LEGAL DEPARTMENT

This may be treated as Confl. for some time

Please see Public (Political) Department note above and especially portion marked A and the draft order. They say that orders of appointment were issued by the Darbar in the name of individual officers. It is likely that the present District Judge may be transferred shortly. This Department may therefore adhere to the view already expressed at S on p. 4 ante.

16.3.49 M The appointment may be made by designation and not by name

Pub (Pol) Dept 739-b 17.3.49

AR 17-3-49 Legal

3195e

6/

LEGAL DEPARTMENT

The alterations indicated in red ink on the draft order may be made.

With reference to M on the previous page, Public (Political) will no doubt satisfy themselves that there is no objection to making the appointment by ~~legislation~~ designation under the provisions of the Sandur Chief Court Act - copy of which is not in the file.

8.3.49

Pub (Pol)

legal memo 319-C/49-1
18/3/49
Pub Cn. 1687
1935

Public (Poll) deptt

With reference to the proposal of the Collr of ~~a~~ Bellary for making suitable provision for the hearing of appeals against the judgements of the Special Officer, Sandur and the Joint Magistrate, Hospet who have been invested with second and first class magisterial powers in Sandur the High ~~Court~~ Madras suggested that the Dt. and Sessions Judge, Bellary might be appointed as part-time Nyayadish for the State and invested with powers on the ~~same~~ same terms as hitherto. It is proposed to issue ~~a notification~~ an order by the Govt. on behalf of the Ruler of Sandur appointing the Dt. Judge, Bellary as part-time Nyayadish for Sandur. A draft order and a draft d.o. are submitted for approval.

Draft I

Draft II

2. Please see the further reference from the Collr. of Bellary on pages 15-16 ~~F~~. Relevant extracts relating to the proposal for ~~the~~ investing the Dt. Munsif Bellary with necessary powers to try civil cases have been taken for separate action.

3. In view of the ~~proposal~~ decision to appoint the Dt. Judge, Bellary as part time Nyayadish it is presumed it is not necessary to pursue the suggestion for investing the D.M. Bellary with appellate powers to hear appeals against the judgements of the Spl. Officers. The Collector may be asked to confirm the presumption. A draft do is submitted for approval.

Draft III

For orders as to issue.

19.3.49. Cur 19.3.49

The Collectors proposals were that the Sessions Judge, Bellary may be empowered to take

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21/3

1656/49

p. 1 CF

cognisance of and try all ~~cases~~ appeals against the judgments of the Sub-Collector, Hospet and the D. J. Bellary to hear appeals against the judgments of the Special officer In his letter on pp 15-16 C the collector has made a reference to the above proposals and submitted further proposals for the Civil judicial administration of the state. It would seem from this letter that the Collectors original proposal stands and that the presumption in para 3 on p. 6 ante is not correct This may however be verified The three drafts may please

AR
20.3.49

CS

If last draft may be approved

CHIEF SECRETARY
23 MAR 1949
GOVERNMENT OF MADRAS

G.P.R
23/3

Sir

p 17 CF [Issued GO No. 805 d 23.3.49]

" [" DO No. 739/49.7 d 23.3.49].

p 19 CF [" D. O No. 739/49.8 d 23.3.49]

p 21 CF [From the Coll. of Bellary No. 3562/49 d 13.4.49

~~Please~~ The report from the Collector of Bellary on p. 21 CF may be perused.

2. A draft reminder d.o. with reference to para 4 of the d.o. on p. 19 CF is submitted for approval.

19/4/49. Cyl 19.4.49

AR
19.4.49

[From the Collector of Bellary No. C. 2334 | 49 C C dt 20-4-49]
pp 25-26 Cf

The proposals in this file relate to (i) the appointment of the Sessions Judge, Bellary as Nyayadesh for Sandur State and (ii) investing the D.M. (A.D.J.) Bellary with appellate powers over the judgments of the 2nd and 1st class magistrates, Sandur.

2. Orders have already been issued appointing the Dt. Judge Bellary as Nyayadeshi of Sandur. p 17 Cf

3. The Collector of Bellary was asked to report whether in view of the appointment of a Nyayadesh for the State it would be necessary to invest the D.M. Bellary with appellate powers as proposed by him. The Collector's reply is on pp. 25-26 Cf. pp 19-20 Cf
The Collector reports that in the circumstances explained by him however it is necessary to invest the D.M. Bellary with appellate powers over the judgments of the 2nd class magistrate (Special Officer Sandur) and that appeals against the judgments of the 1st class Magistrate for Sandur (Joint Magistrate, Harpet) therein will be few may be heard by the Nyayadesh.

4. Consequent on the merger of Sandur State with effect from 1-4-49 the Deptts. of the Govt will have to deal with matters with which they are concerned. This is a matter relating to Home dept to whom they may be transferred for necessary orders.

Pol(Pln) No 739/49-II 29/4

29-4-49. Cue 29-4-49. AR 29-4-49 Home

Dy. 30/4

ASSISTANT SECRETARY TO GOVERNMENT 368375 30 APR 1949 HOME DEPARTMENT 30/4/49

ADDITIONAL ASST SECRETARY TO GOVERNMENT 30 APR 1949 HOME DEPARTMENT

Home department

CNO 3685 7D/49.

The D.M., Bellary has stated that Sri Bhagavandas, I.A.S. Sub-Collector, Hospet, who is now exercising first class powers over the Sandur State has not yet been granted appellate powers and therefore no officer in the State can hear appeals against the judgment of the second class magistrate. He requests that the D.M., Bellary may be empowered to hear appeals from the Second Class Magistrate.

2. The state has merged in the Indian Union with effect from 1.4.49, and the Govt. of India have delegated power to this Govt. to administer the State. A draft order recognising the criminal courts in the State has been put up and the file has been sent to Public, Revenue and Legal for acceptance of the draft. The next step to be done is to extend the laws in force in the Province to the Sandur State and to take steps regarding the future administration of justice in the State in consultation with the High Court. Action in regard to these will be taken in I section and E section respectively

3. As regards administration of criminal justice, the D.M. has stated that the Sandur Cr.P.C. is the same as the Indian Cr.P.C.. It may be mentioned that in regard to Banganapalle, the Cr.P.C., the I.P.C. and the Indian Evidence Act were extended to the State in advance of the other laws, and notifications were issued under sections 7 and 8, Cr.P.C. including the State within the jurisdiction of the existing courts. If similar orders are issued in this case also, the local officers will get the necessary jurisdiction without any special orders.

It is for consideration whether the D.M. may be referred to G.O. No. 1101, Public (Political), d/29.4.49 and he may be asked to state -

(1) whether the Cr.P.C., I.P.C. and the Indian Evidence Act may be extended at once to the Sandur State; and

(2) if so, to forward draft notifications under sections 7 and 8 Cr.P.C. for approval.

D

C.No.6837 D/L

Public, Revenue and Legal may see for remarks if any.

Through E and I sections.

Pub | Rev | Legal

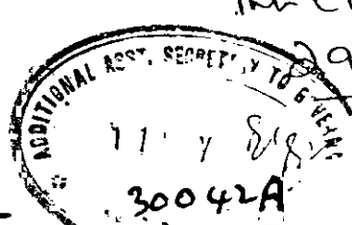
Pub (Pols) Deptt.

The notes of Home on p. 9. above may be read. This Deptt. may agree with the proposal in para 4 of Home's notes on p. 9 above and suggest that orders in this behalf may be taken on the proposal for the extension of Cr. P.C, I.P.C and Indian Evidence Act to Sarwan after the report of the D.M. is received examined with Home's remarks the file may be passed on to Rev

6837
2913/49

Rev

Pub (Pols) Deptt
2913/48-1
10.5.49



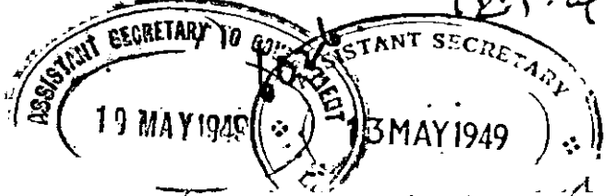
Please see the notes from p9 above. No remarks are called for. The file may be passed to Legal

Legal

Legal Department.

There is no legal objection to the proposal of Home in paragraph 4 of their note on page 9 ante.

Rev. No. 30042A/49
12.5.49



4/

Home. dept.

Home U.O. 36837-D/49

With ref to this dept's note at pp9-10 above please see the notes of Pub. Rev and Legal at p10 above

Draft memo subd is for approval

20/5/49

(Issued Memo No. 36&37-D 49-2 Home dated 20th May 1948)

p29/5

(From the W.M Bellary Ref. C. No. 2384/49 C.C of 21.5.49)

1-p31/5

(From the W.M Bellary case RCS 209/49 C.C. of 8.6.49)

The case relates to the administration of criminal justice in Sandur State.

(1) Extension of the Cr. P.C., I.P.C., and the Indian Evidence Act to Sandur State and inclusion of the State within the Bellary Sessions Division and Bellary Sub Division.

The D.M. agrees to the proposal. The orders may perhaps take effect from 1/7/1949.

(2) Appointment of a separate II Class Magistrate for Sandur:

Action may be taken when the High Court's remarks are received.

The draft subd. is for approval. May go to Public for acceptance and Legal for scrutiny. Finance may also see before circulation

15.6.49

15/6/49

Public

Legal

Fin

Home U.O. 36837-D/49-3

ASSISTANT SECRETARY TO GOVT. 3674 16 JUN 1949 CHIEF SECRETARIAT

Public (Political) department

Notes para xx above and the draft notification below may be perused. This department may

P.T.O

agree with the suggestion at K on p. 11 ante that the orders may be given effect to from 15/7/49 and pass on the file to Legal.

16/6/49 Cal 17.6.49 17/6/49 Asst

Sd./ Legal

Cal 17.6

Hub (Pol) u.o. no 3674/49-1 d 17/6/49.

LEGAL DEPARTMENT

As the intention is to give effect to the orders in the draft notification only from the 15th July 1949, it is presumed that the draft notifications will be published before that date. If so, the words "be deemed to have" occurring at "A" and "B" on pages 2 and 3 of the drafts may be omitted. Subject to this remark, the alterations indicated in red ink on the draft notifications may be made.

LEGAL DEPARTMENT ASSISTANT SECRETARY 18 JUN 1949

7628 18.6.49 2pm.

22.6.49 Fin Finance

Legal u.o. No. 7628 22.6.49

Finance (E.I.)

The note from portion marked XX overleaf may be perused and the case returned to Home dept.

ASSISTANT SECRETARY TO GOVERNMENT 40748 22 JUN 1949 FINANCE DEPARTMENT

22.6.49

DS Home

22/6/49 Home

Fin no 40748 E I/49-1 22.6.49.

Home Department.

The file relates to the administration of Criminal Justice in the Sandur State. The D.M., Bellary has stated that the Cr. P.C., I.P.C., and the Indian Evidence Act should be extended to the Sandur State and that it is necessary to do so at an early date. (The High Court has agreed to the extension of the Acts, with immediate effect allowing time for publicity.) This Dept. proposed to extend the Acts with effect from 15/7/1949 and to issue notifications under sections 7 & 8 Cr. P.C. including the State within the Bellary Sessions Division and Bellary Sub Division. The

ASSISTANT SECRETARY TO GOVERNMENT para 1, p 3 23 JUN 1949 HOME DEPARTMENT

56201 22/6

2/25/6

proposal has been accepted by Public, Legal and Finance Departments and the draft has been scrutinised by Legal. The file may be circulated to H.M. (E. & L.) and H.Pr.

Sd/- 24.6.49

Sd/- 25.6.49

HM(E&L) 25/6

HPr

Sd/-

Draft returned for issue

Sd/-

(Issued as G.O.Ms No. 2658, Home, 29.6.49)

HOME SECRETARY
JUN 1949
GOVT. OF MADRAS

ASSISTANT SECRETARY TO GOVERNMENT
23 JUN 1949
HOME DEPARTMENT

DEPUTY SECRETARY
28 JUN 1949
HOME